

Remarks

Claims 1-27 are now pending in this application. Claims 1-27 are rejected. Claims 1, 3, 6, 9, 11, 13-15, 17, 21, 22, 24, 26, and 27 have been amended. No new matter has been added.

Applicants respectfully submit that a copy, with Examiner's initials and signature, of information disclosure statement (PTO-1449A) mailed on September 20, 2001 has not been provided with the Office Action. Applicants respectfully request that an executed copy of the information disclosure statement be provided.

The objections to the drawings is respectfully traversed. Applicants respectfully submit a substitute set of formal drawings. Accordingly, Applicants respectfully request that the objections to the drawings be withdrawn.

The rejection of Claims 1-16 and 18-27 under 35 U.S.C. § 102(b) as being anticipated by "Business Edge Solutions Debuts VelOSSity 3 Platform At TeleStrategies OSS World 2001"; PR Newswire; New York, February 6, 2001 and Microstrategy web page prints captured via archive.org, collectively referred to as Microstrategy, is respectfully traversed.

Microstrategy describes a method including creating formatted HTML pages containing multiple table and graph reports (page 11). The method includes allowing customers to tap a central data warehouse of fleet information to retrieve personalized, pre-defined reports (page 14). The method also includes determining a number of columns and rows that appear on a page of a report (page 17) and displaying multiple reports on the same page (page 18).

Claim 1 recites a method of communicating business information using a network-based system including at least one server coupled to a database and at least one device, the method comprising "creating a plurality of dashboards; storing the dashboards in the database; populating the dashboards using information from the database; providing the dashboards to a user through the device; and recreating, by the at least one server, the plurality of dashboards on a scheduled periodic basis."

Microstrategy does not describe or suggest a method of communicating business information as recited in Claim 1. Specifically, Microstrategy does not describe or suggest recreating, by the at least one server, the plurality of dashboards on a scheduled periodic basis. Rather, Microstrategy describes creating formatted HTML pages containing multiple table and graph reports and allowing customers to tap a central data warehouse of fleet information to retrieve personalized, pre-defined reports. Accordingly, Microstrategy does not describe or suggest recreating, by at least one server, the plurality of dashboards on a scheduled periodic basis. For the reasons set forth above, Claim 1 is submitted to be patentable over Microstrategy.

Claims 2-10 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-10 are considered in combination with the recitations of Claim 1, Applicants submit that Claims 2-10 likewise are patentable over Microstrategy.

Claim 11 recites a system for communicating business information, the system comprising “at least one device; at least one server configured to receive business information, store the business information and provide the business information; a network connecting said at least one server to said at least one device; said server configured to generate at least one dashboard using the business information and regenerate, by using the business information, the at least one dashboard on a scheduled periodic basis, the at least one dashboard available through said network for display on said device.”

Microstrategy does not describe or suggest a system for communicating business information as recited in Claim 11. Specifically, Microstrategy does not describe or suggest the server configured to regenerate, by using the business information, the at least one dashboard on a scheduled periodic basis. Rather, Microstrategy describes creating formatted HTML pages containing multiple table and graph reports and allowing customers to tap a central data warehouse of fleet information to retrieve personalized, pre-defined reports. Accordingly, Microstrategy does not describe or suggest a server configured to regenerate, by using the business information, at least one dashboard on a scheduled periodic basis. For the reasons set forth above, Claim 11 is submitted to be patentable over Microstrategy.

Claims 12-16 and 18-20 depend, directly or indirectly, from independent Claim 11. When the recitations of Claims 12-16 and 18-20 are considered in combination with the recitations of Claim 11, Applicants submit that Claims 12-16 and 18-20 likewise are patentable over Microstrategy.

Claim 21 recites a system for communicating business information, the system comprising “at least one device; at least one server configured to receive business information, store the business information and provide the business information; a network connecting said at least one server to said at least one device; and at least one dashboard comprising at least one dial comprising a graphic display of the business information and a drilldown data display, said dashboard generated by said at least one server using the business information and regenerated by said at least one server on a scheduled periodic basis, said dashboard stored on said at least one server after generation, said dashboard selectively available through said network for display on said at least one device.”

Microstrategy does not describe or suggest a system for communicating business information as recited in Claim 21. Specifically, Microstrategy does not describe or suggest the dashboard generated by the at least one server using the business information and regenerated by the at least one server on a scheduled periodic basis. Rather, Microstrategy describes creating formatted HTML pages containing multiple table and graph reports and allowing customers to tap a central data warehouse of fleet information to retrieve personalized, pre-defined reports. Accordingly, Microstrategy does not describe or suggest the dashboard regenerated by at least one server on a scheduled periodic basis. For the reasons set forth above, Claim 21 is submitted to be patentable over Microstrategy.

Claim 22 recites a computer program embodied on a computer readable medium for managing business information, the program comprising a code segment that receives business information and then “maintains a database by adding, deleting and updating business information; generates at least one dashboard based on the received business information; regenerates the at least one dashboard on a scheduled periodic basis; and provides consistent dashboards to users.”

Microstrategy does not describe or suggest a computer program embodied on a computer readable medium for managing business information as recited in Claim 22. Specifically, Microstrategy does not describe or suggest a code segment that regenerates the at least one dashboard on a scheduled periodic basis. Rather, Microstrategy describes creating formatted HTML pages containing multiple table and graph reports and allowing customers to tap a central data warehouse of fleet information to retrieve personalized, pre-defined reports. Accordingly, Microstrategy does not describe or suggest a code segment that regenerates the at least one dashboard on a scheduled periodic basis. For the reasons set forth above, Claim 22 is submitted to be patentable over Microstrategy.

Claims 23-27 depend from independent Claim 21. When the recitations of Claims 23-27 are considered in combination with the recitations of Claim 21, Applicants submit that Claims 23-27 likewise are patentable over Microstrategy.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1-16 and 18-27 be withdrawn.

The rejection of Claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Microstrategy in view of Marpe et al. (U.S. Patent No, 6,671,693) is respectfully traversed.

Microstrategy is described above. Marpe et al. describe a system in which various categories of project management tools (703), a planning guide (705), and industry solution packs (707) relating to a merger and acquisition may be retrieved from a single interface (700) (column 17, lines 33-36). The project management tools allow users to access templates, create, store and retrieve documents and generate reports (column 17, lines 33-35).

Claim 17 depends on independent Claim 11 which recites a system for communicating business information, the system comprising “at least one device; at least one server configured to receive business information, store the business information and provide the business information; a network connecting said at least one server to said at least one device; said server configured to generate at least one dashboard using the business information and regenerate, by using the business

information, the at least one dashboard on a scheduled periodic basis, the at least one dashboard available through said network for display on said device.”

Neither Microstrategy nor Marpe et al., considered alone or in combination, describe or suggest a system for communicating business information as recited in Claim 11. Specifically, neither Microstrategy nor Marpe et al., considered alone or in combination, describe or suggest the server configured to regenerate, by using the business information, the at least one dashboard on a scheduled periodic basis. Rather, Microstrategy describes a system that creates formatted HTML pages containing multiple table and graph reports and allows customers to tap a central data warehouse of fleet information to retrieve personalized, pre-defined reports. Marpe et al. describe project management tools that allow users to create and retrieve documents and generate reports. Accordingly, neither Microstrategy nor Marpe et al., considered alone or in combination, describe or suggest the server configured to regenerate, by using the business information, at least one dashboard on a scheduled periodic basis. For the reasons set forth above, Claim 11 is submitted to be patentable over Microstrategy in view of Marpe et al.

When the recitations of Claim 17 are considered in combination with the recitations of Claim 11, Applicants submit that Claim 17 likewise is patentable over Microstrategy in view of Marpe et al.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claim 17 be withdrawn.

Moreover, Applicants respectfully submit that the Section 103 rejection of Claim 17 is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Neither Microstrategy nor Marpe et al., considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Microstrategy with Marpe et al., because there is no motivation to combine the references suggested in the cited art itself.

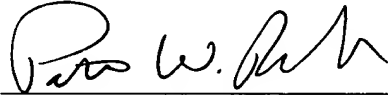
As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Microstrategy teaches a system that creates formatted HTML pages containing multiple table and graph reports and allows customers to tap a central data warehouse of fleet information to retrieve personalized, pre-defined reports. Marpe et al. teach project management tools that allow users to create and retrieve documents and generate reports. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejections of Claim 17 be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the rejections of Claim 17 under 35 U.S.C. 103(a) be withdrawn.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Patrick W. Rasche", written over a horizontal line.

Patrick W. Rasche

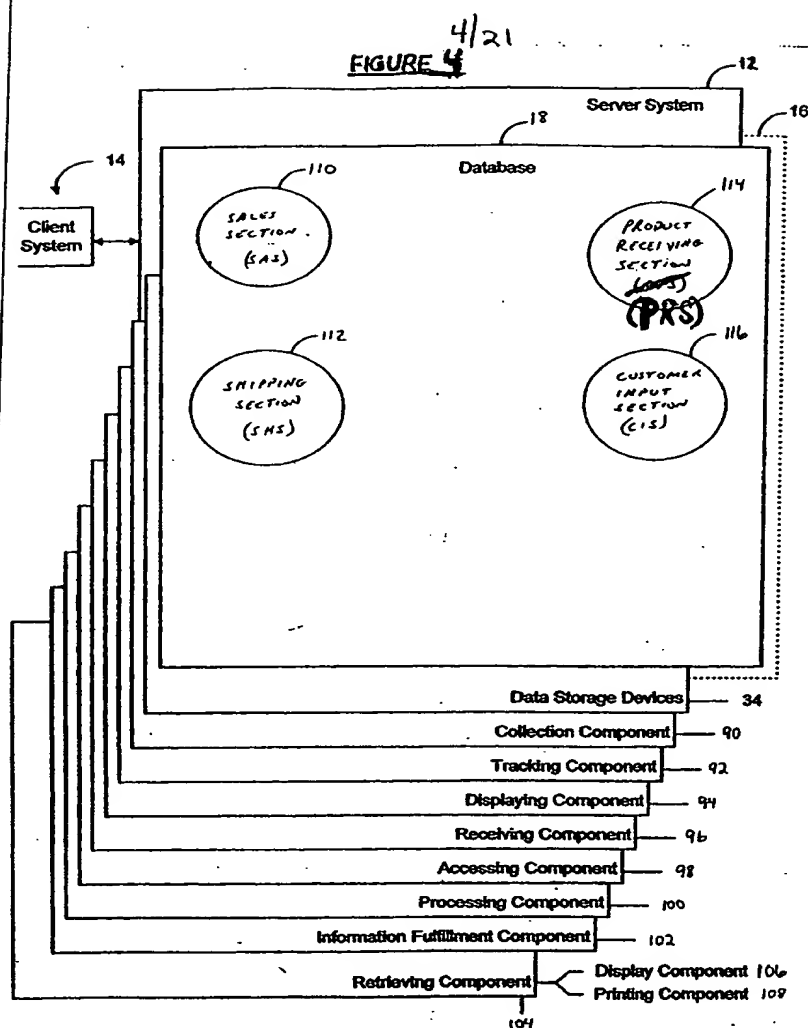
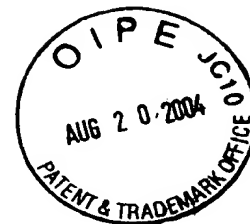
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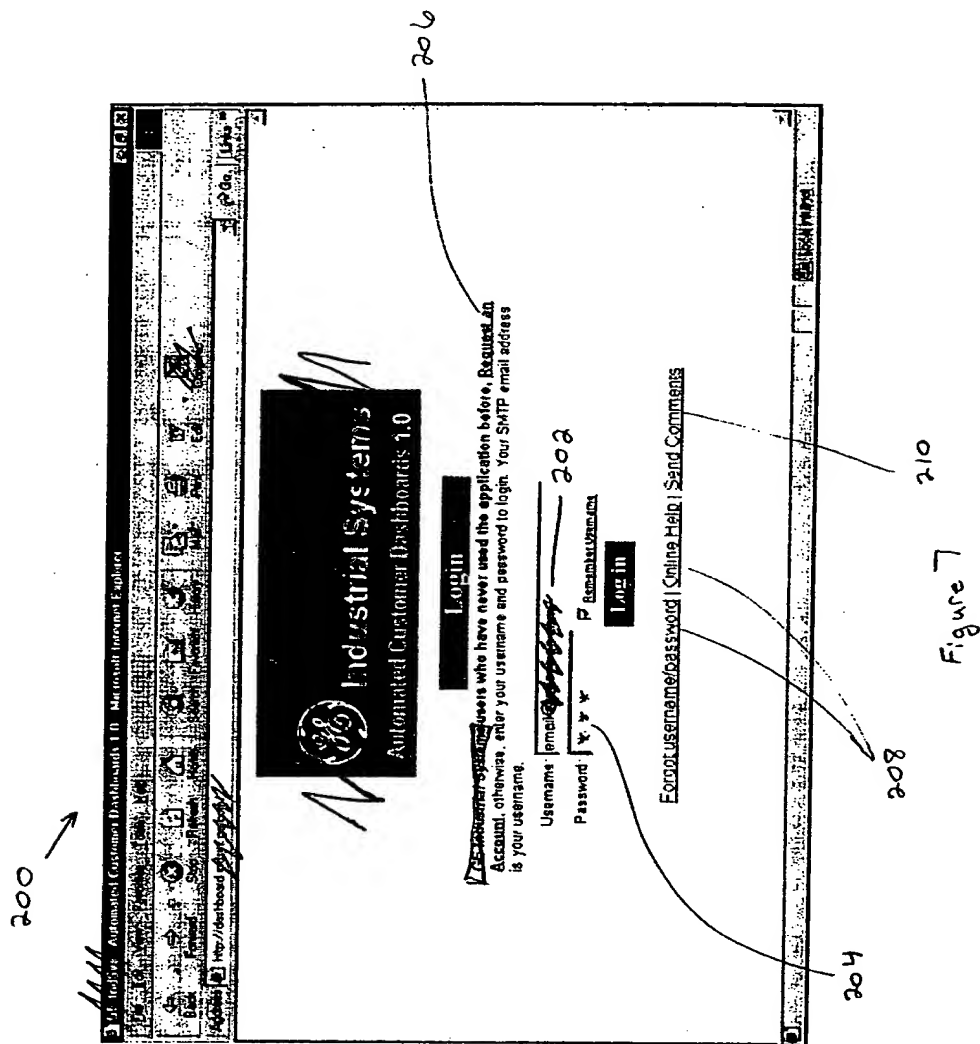
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(314) 621-5070

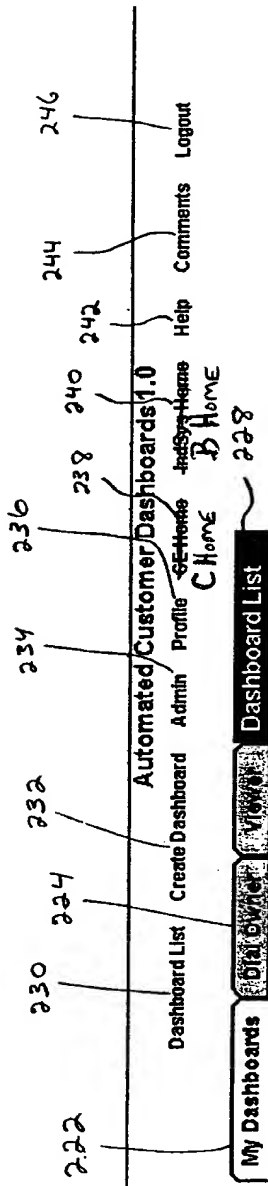




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The following is a list of dashboards that you created. Generation time listed below is Eastern Time. The list is sorted by Dashboard Title.

226
220

Figure 8



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Dashboard List Create Dashboard Admin Profile ~~Customize~~ ~~IntSysHome~~ Help Comments Logout

Home B Home

Dashboard Info Dashboard Views Preferences Create Dashboard

The preferences set here will be used to generate the dashboard. These preferences can be changed at any time.

Dashboard Title : sample

General Dials - Sales Trend

Time Span To Generate Dashboard
 Always use past 12 months of data to generate dashboard.
 Generate dashboard using data from Jan. 2000 to Jan. 2000

Back Dashboard Info

404

408

406

400

Figure 16



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420 ↗

Automated Customer Dashboards 1.0

Dashboard List Create Dashboard Admin Profile ~~GE Home~~ ~~IndSys Home~~ Help Comments Logout

My Dashboards **Dashboard List**

The following is a list of dashboards that you created. Generation time listed below is Eastern Time. The list is sorted by Dashboard Title.

- sample [Edit Dashboard] Last Generated On: To be Generated [Generate Dashboard]

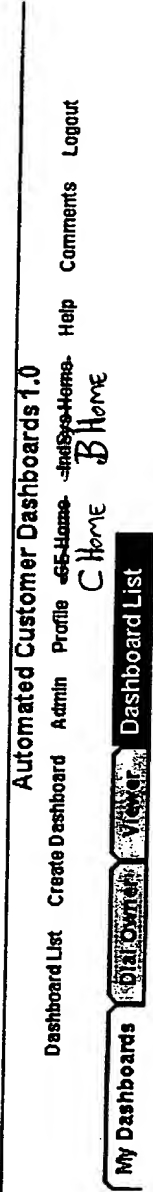
↑ 422 424

Figure 17



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440



The following is a list of dashboards that you created. Generation time listed below is Eastern Time. The list is sorted by Dashboard Title.

- [Sample \[Edit Dashboard\]](#) Last Generated On: Jan 11 2000 12:24PM [\[Generate Dashboard\]](#)

↑ 442

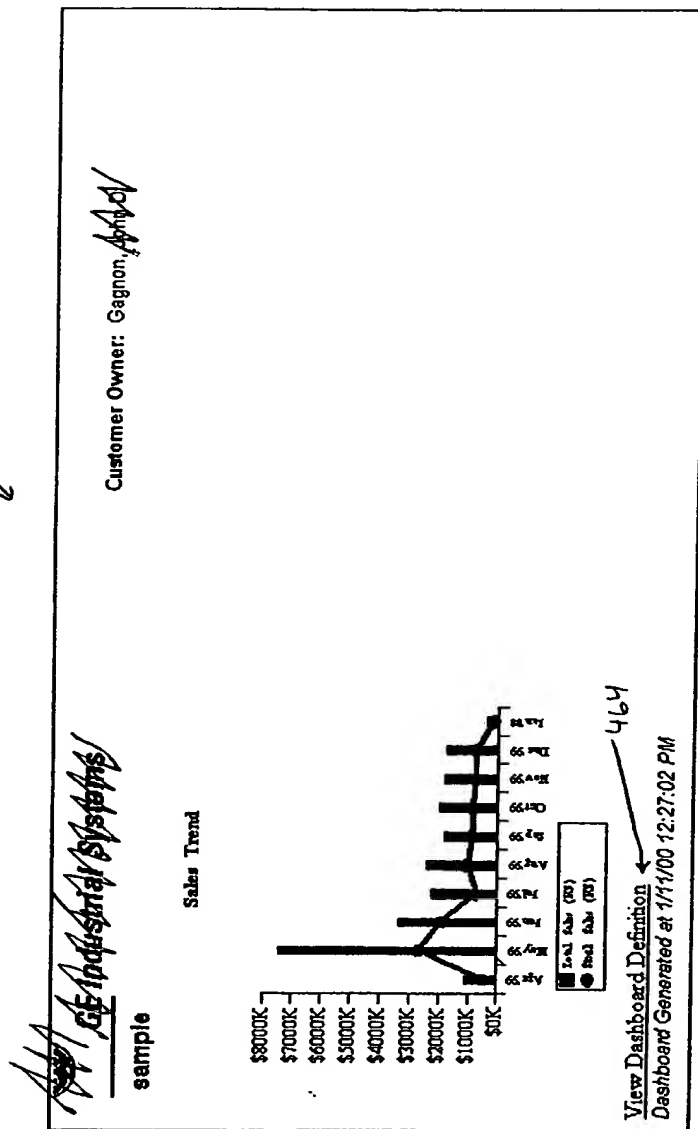
444

Figure 18



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460



462

Figure 19

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480

Automated Customer Dashboards 1.0												
Dashboard List			Create Dashboard			Admin Profile			Home			He
AI			Sales Trend			C Home			B Home			
	A	B	C	D	E	F	G	H	I	J	K	L
1	Sales Trend											
2	Requisition Customer											
3	3/29/99	4/5/99	2827612	CRESCEN	39610208	Central	Minneapolis	539.88	539.88	0	0	0
4	3/30/99	4/5/99	2827612	CRESCEN	39610209	Central	Minneapolis	2,530.49	703	0	0	0
5	3/30/99	4/5/99	2827612	CRESCEN	39610211	Central	Minneapolis	661	6,834.96	0	0	0
6	3/22/99	4/5/99	2827601	CRESCEN	39613634	Central	North Cent	692.64	692.64	0	0	0
7	3/29/99	4/5/99	2827604	CRESCEN	39834074	Central	St Louis	692.64	1,007.00	0	0	0
8	3/30/99	4/5/99	2827640	CRESCEN	40869566	Central	St Louis	1,007.00	0	0	0	0
9	3/30/99	4/5/99	2827640	CRESCEN	40869566	Central	Minneapolis	0	0	0	0	0
10	4/1/99	4/5/99	2827605	CRESCEN	41398540	Central	Minneapolis	0	0	0	0	0

Figure 20

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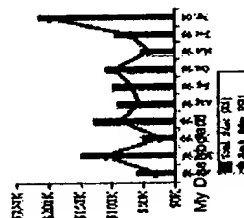


500

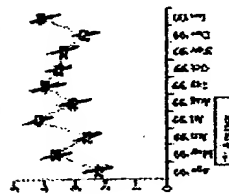
My Dashboards

Dashboard Performance *AWR*

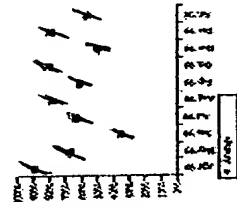
Date: Today



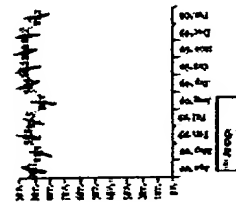
Number of Submissions Per Order - Stock Items (Start in the period to filter)



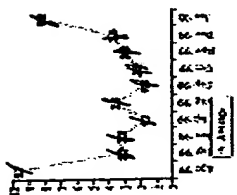
First Submitter ID Date - Stock Items (Standard)



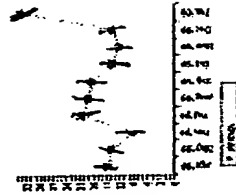
% Items Complete Within 10 Days - Stock Items



Drop in First Submission



Average Drop in Complete Order - Stock Items



Dashboard Generated

Figure 21